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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

TRIGG et al

Atty. Ref.: 4137-6

Serial No. 09/743,059

Group: 1632

Filed: February 12, 2001

Examiner: Wehbe, A.M.

For: BIOIMPLANT FORMULATION

* * * * *

November 19, 2002

Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED

NOV 20 2002

Sir:

RESPONSE

TECH CENTER 1600/2900

In response to the Official Action mailed October 22, 2002, the Applicants hereby elect Group X (opioid antagonists). The rejection is made with traverse.

In the Official Action beginning on page 2, it is noted that Groups I-III, V, VII-XV, XVII, XX-XXIII are all classed in class 514, subclass 1. It is not understood, therefore, why those groups are not all included in one group since it is believed the Examiner will be faced with no undue burden in searching one class and one subclass. Modification of the restriction requirement to include the above listed additional groups is accordingly respectfully requested.

Group IV also identifies class 514 subclass 1 and Group XVIII does not identify any class or subclass. If the latter group is classified in class 514, subclass 1, it is believed that Group IV and Group XVIII should also be included in the elected group.

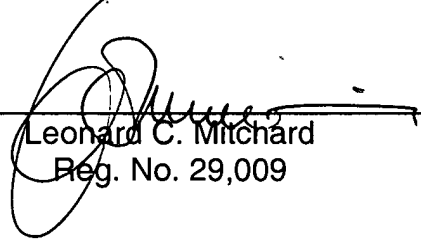
The primary "inventive step" resides in the identification of an excipient composition which, essentially, comprises stearin and a pore-forming agent (e.g. lecithin) and which is suitable for the sustained release of a wide variety of active agents. In light of this, it is believed that all of the claims in this application should be examined in this case. However, should that not be possible (it is believed that all claims in this application are eligible for examination in the present case), it is respectfully requested that the restriction requirement be modified to include all groups classified in class 514, subclass 1.

Favorable action on this application is awaited.

Respectfully submitted,

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By: _____


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